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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/727,986	11/30/2000	E. Michael Lunsford	3COM-2962.WHD.US.P	6288

7590 02/12/2004

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EXAMINER

EL CHANTI, HUSSEIN A

ART UNIT	PAPER NUMBER
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2157

DATE MAILED: 02/12/2004

4

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/727,986

Applicant(s)

LUNSFORD ET AL.

Examiner

Hussein A El-chanti

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 November 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 November 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to application filed on Nov. 30, 2000. Claims 1-23 are pending examination.

Drawings

2. Formal drawings are required to be submitted by applicant.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-7, 9, 11-13, 16 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Peterson et al., U.S. Patent No. 6,594,682 (referred to hereafter as Peterson) in view of Multer et al., U.S. Patent No. 6,671,757 (referred to hereafter as Multer).

As to claim 1, Peterson teaches a method for personal profile detection comprising the steps of:

- a) accepting profile data on a first PID (Portable Information device wherein said profile data is customizable by a user of said PID (see col. 4 lines 18-38 and col. 5 lines 6-15);
- b) storing said profile data on said first PID (see col. 10 lines 16-24);
- c) providing for an exchange of information between said first PID and a second device proximate with said first PID when shared interests exist between said profile

data stored on said first PID and profile data stored on said second device (see col. 5 lines 5-18).

Peterson does not explicitly teach the limitation "a second PID device". However Multer teaches a method for exchanging information between a first and second PID devices according to a user profile (see col. 6 lines 31-45).

It would have been obvious for one of the ordinary skill in the art at the time of the invention to modify Peterson by implementing a second PID as taught by Multer because doing so would allow the user to exchange data of interest with a variety of clients including other clients with portable devices and therefore not being limited to data stored on internet servers.

As to claim 2, Peterson teaches the method of claim 1 wherein said step c) comprises providing for a user customizable exchange of information between said first PID and a second PID proximate with said first PID when shared interests exist between said profile data stored on said first PID and profile data stored on said second PID (see col. 5 lines 5-18).

As to claim 3, Peterson teaches the method of Claim 1 wherein said step c) further comprises the step of:

c1) determining by said first PID shared interests existing between said profile data stored on said first PID and profile data stored on said second PID (see col. 10 lines 16-24).

As to claim 4, Peterson teaches the method of Claim 3 wherein said step c1) comprises determining by said first PID shared interests existing between said profile

data stored on said first PID and profile data stored on said second PID wherein said determining is user customizable (see col. 10 lines 16-24).

As to claim 5, Peterson teaches the method of Claim 1 wherein said step c) further comprises the steps of:

searching for and detecting by said first PID profile data keyword information transmitted from a second PID (see col. 11 lines 57-67);

determining by said first PID shared interests existing between said profile data stored on said first PID and profile data stored on said second PID (see col. 12 lines 61-col. 13 lines 8);

requesting by said first PID from said second PID data relevant to said shared interests (see col. 12 lines 61-col. 13 lines 8); and

receiving said relevant data from said second PID by said first PID (see col. 5 lines 5-18).

As to claim 6, Peterson teaches the method of Claim 1 wherein said step c) further comprises the steps of:

transmitting by said first PID user pre-determined keyword information from said stored profile data of said first PID (see col. 11 lines 57-67);

receiving requests by said second PID for profile data relevant to said transmitted keyword information; and transmitting said relevant profile data to said second PID (see col. 11 lines 57-67).

As to claim 7, Peterson teaches the method of Claim 1 further comprising the step of:

d) initiating an event on at least one of said first PID and said second PID when shared interests exist (see col. 5 lines 5-18).

As to claim 9, Peterson teaches the method of Claim 7 wherein said step d) further comprises displaying relevant data from said second PID on a display of said first PID (see fig. 5 and fig. 6).

As to claim 11, Peterson teaches the method of Claim 1 wherein said PID's comprise handheld organizers (see col. 13 lines 50-56).

As to claim 12, Peterson teaches the method of Claim 1 further comprising the step of:

b1) enabling said PID with short-range RF communications ability (see col. 9 lines 15-30).

As to claim 13, Peterson teaches a personal profile detection (PID) device comprising:

a) a data input component (see col. 4 lines 18-38 and col. 5 lines 6-15);

b) means for accepting customizable profile data input by a user from said data input component, said means for accepting customizable profile data coupled to said data input component (see col. 4 lines 18-38 and col. 5 lines 6-15);

c) a data storage component coupled to said means for accepting customizable profile data, said data storage component adapted to storing said customizable profile data (see col. 10 lines 16-24); and

d) a RF communications receiver coupled to said means for accepting customizable profile data, said RF communications receiver adapted to receive information from a proximate device (see col. 9 lines 15-30).

Peterson does not explicitly teach the limitation "a second PID device". However Multer teaches a method for exchanging information between a first and second PID devices according to a user profile (see col. 6 lines 31-45).

It would have been obvious for one of the ordinary skill in the art at the time of the invention to modify Peterson by implementing a second PID as taught by Multer because doing so would allow the user to exchange data of interest with a variety of clients including other clients with portable devices and therefore not being limited to data stored on internet servers.

As to claim 16, Peterson teaches the PPD device of Claim 13 wherein said data storage component is selected from the group consisting of volatile memory, nonvolatile memory, solid-state memory, mass storage or other storage components (see fig. 2).

As to claim 21, Peterson teaches a computer-usable medium having computer-readable code embodied therein for causing a PID (Portable Information Device) to perform the steps of:

- a) accepting profile data on a first PID (Portable Information Device) wherein said profile data is customizable by a user of said PID (see col. 4 lines 18-38 and col. 5 lines 6-15);
- b) storing said profile data on said first PID (see col. 10 lines 16-24);

c) providing for an exchange of information between said first PID and a second device proximate with said first PID when shared interests exist between said profile data stored on said first PID and profile data stored on said second device (see col. 4 lines 18-38 and col. 5 lines 6-15).

Peterson does not explicitly teach the limitation "a second PID device". However Multer teaches a method for exchanging information between a first and second PID devices according to a user profile (see col. 6 lines 31-45).

It would have been obvious for one of the ordinary skill in the art at the time of the invention to modify Peterson by implementing a second PID as taught by Multer because doing so would allow the user to exchange data of interest with a variety of clients including other clients with portable devices and therefore not being limited to data stored on internet servers.

4. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Peterson in view of Multer further in view of Khan et al., U.S. Patent No. 6,460,038 (referred to hereafter as Khan).

Peterson teaches the method of Claim 1 further comprising the step of initiating an event on at least one of said first PID and said second PID when shared interests exist (see col. 5 lines 5-18).

Peterson does not explicitly teach the limitation "sounding of an alarm on said first PID". However Khan teaches a method of sounding an alarm on a device according to a user profile (see col. 11 lines 10-33).

It would have been obvious for one of the ordinary skill in the art at the time of the invention to modify Peterson by incorporating an alarm as taught by Khan because doing so would allow the user to be notified whenever an update exists using a speaker and therefore notifying the user of an update without having a view of the device's display.

5. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Peterson in view of Multer further in view of Rezvani et al., U.S. Patent No. 6,686,838 (referred to hereafter as Rezvani).

Peterson and Multer teach a method for accepting and storing a user profile and providing for an exchange of information between a first and second portable device (see the rejection of claim 1).

Peterson and Multer do not explicitly teach the claimed limitation "providing for an exchange which incorporate the Bluetooth protocol". However Rezvani teaches a method of communication using a Bluetooth protocol (see col. 4 lines 18-55).

It would have been obvious for one of the ordinary skill in the art at the time of the invention to modify Peterson by incorporating a Bluetooth protocol as taught by Rezvani because doing so would allow the user to use short-range radio links between mobile computers, mobile phones, digital cameras, and other portable devices to exchange data between devices.

6. Claims 14-15, 17-20, 22 and 23 do not add or define any additional limitation over claims 1-13 and therefore are rejected for similar reasons.

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Method For Providing Information Relating To A Mobile Machine To A User by Shetty et al., U.S. Patent No. 5,808,907.


8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hussein A El-chanti whose telephone number is (703)305-4652. The examiner can normally be reached on Mon-Fri 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (703)308-7562. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-3900.

Hussein El-chanti

Feb. 08, 2004


ARIO ETIENNE
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